



TESTIMONY IN SUPPORT OF SB 134:

**CIVIL ACTIONS – CHILD SEXUAL ABUSE – DEFINITION AND STATUTE OF
LIMITATIONS
SUPPORT**

**TO: Hon. Chairman William C. Smith, Hon. Vice Chair Jeff Waldstreicher, Senate
Judicial Proceedings Committee**

**FROM: Zach Hiner, Executive Director of SNAP, the Survivors Network of those Abused
by Priests**

DATE: 02/02/2021

My name is Zach Hiner and I am the Executive Director of SNAP, the Survivors Network of those Abused by Priests. For the past thirty years, our organization has provided support and advocacy services for victims of institutional sexual violence. We have more than 25,000 survivors in our network nationwide, including 640 from Maryland. While our organization was born out of the Catholic sex abuse crisis, we count among our network survivors from every faith tradition as well as other institutions, such as universities and clubs like the Boy Scouts.

From a personal standpoint, I am lucky to not be a survivor myself. But as an advocate who has worked with survivors and have heard their stories, I know that one of the typical things that these victims have in common is a negative history with the judicial process, largely due to barriers that have been erected by statutes of limitations laws.

What are the facts about abuse and SOL?

The facts about sexual violence are clear: sexual violence is a tremendously under reported crime, and when survivors do come forward, it is typically much later in the life. Estimates vary, but data shows that 1 out of 10 children will experience sexual violence before their 18th birthday. Of those victims, fewer than 40% will ever come forward to report their abuse. In 2019, the average age of disclosure for a survivor of child sexual abuse is 52 years old.

These statistics combine to illustrate the fact that childhood sexual abuse is a common yet, often hidden crime, as it is often difficult for survivors to disclose while the abuse is occurring or shortly thereafter, whether due to feelings of embarrassment, guilt, a belief that the abuser cares for them, or fear due to the abuser's position of trust and authority.

We also know that the effects of childhood sexual abuse are long-term and severe. Studies have shown that childhood sexual abuse has been correlated with higher levels of mental health problems, such as depression, anxiety, dissociative patterns, eating disorders and suicidal ideation, and physical health problems. In fact, adults with a history of child abuse are 30% more likely to have a serious medical condition like cancer or heart problems. Additionally, survivors of childhood sexual abuse also face personal issues as well such as joblessness, poverty, addiction issues, and difficulty forming close relationships.



These problems often come at a high cost, both to society and communities, but especially to the victims of sexual abuse. Through no fault of their own, many survivors have lived lives with pain, illnesses, and other adverse experiences that have resulted from being victimized as children. Survivors often are forced to spend money on therapy, medication, or medical care, treatments that are expensive and cost money that survivors too often do not have to spend.

By reforming the civil statute of limitations, we can begin to transfer some of the costs associated with abuse from the victim to the perpetrator and to those institutions which have shielded abusers.

To me, it makes little sense to limit access to opportunities for justice due to a debate over an arbitrary time period. Rather than control access to the courts based on when someone remembered their abuse, we believe that the courts should be open to all and any legal questions be handled within the court system on a case by case basis.

Why should we eliminate civil statutes?

At SNAP we believe that informed communities are safer communities, and for those in our network, the first goal of allowing claims to be brought forward is the public identification of perpetrators. When those who hurt children are allowed to remain hidden within the community due to statute of limitations barriers, it leaves other children at risk of abuse and the lifelong costs and adverse effects that come with that abuse.

By opening civil windows, not only are survivors provided with an opportunity to experience justice and closure, they are also able to use their experiences to better inform communities and institutions about how abuse occurs and how it is hidden.

Additionally, when civil claims are filed, they often lead to other victims coming forward and filing their own cases. Sometimes, this even leads to the identification of cases that are still within the criminal statute of limitations as happened in Pennsylvania following the release of the 2018 Grand Jury report. In this way, reforming the civil statute of limitations can lead to the criminal prosecutions that in turn lead to safer communities.

As we as a nation have learned more about sexual violence, reforming the statute of limitations to be more in line with survivors' reporting trends happened in most states around the country. Some states, such as Delaware and Hawaii, have even opened civil windows multiple times in order to give more survivors access to justice. More recently, New York, New Jersey and Vermont have passed their own reform to statute of limitations laws, joining the 38 other states that have made reforms since 2002.

In sum, reforming the statute of limitations is a move that has strong precedent and can give survivors an opportunity for their experiences to have a positive meaning for others and for the pain they have experienced to lead to new policies and procedures that will help prevent other children from being abused in the future.



But such meaning can only come when survivors are empowered to seek redress through the court system. ***For these reasons, I urge a favorable committee report and passage of Senate Bill 134 without amendment.***